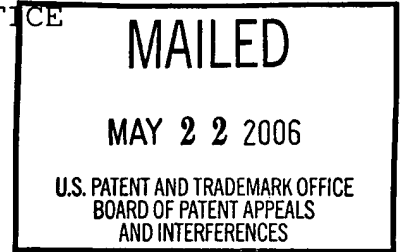


The opinion in support of the decision being entered today was **not** written for publication in a law journal and is **not** binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES



Ex parte PATRICK M. BROWN, ROBERT A. HARD, DONNA D. HARBUCK
and G. KYLE GREEN

Application No. 08/621,631

ORDER RETURNING UNDOCKETED APPEAL TO THE EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on April 24, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below:

An "**AMENDMENT PURSUANT TO 37 C.F.R. § 41.33**" was submitted by the Appellants and received by the Office on December 22, 2005. There is no indication on the record that the Examiner notified Appellants as to the entry status of said amendment by mailing a form PTOL-304 form (e.g., "Advisory Action After the Filing of An Appeal Brief.") Clarification is required.

Application No. 08/621,631

Accordingly, it is

ORDERED that the application is returned to the Examiner:

(1) to consider the amendment filed Dec. 22, 2005;

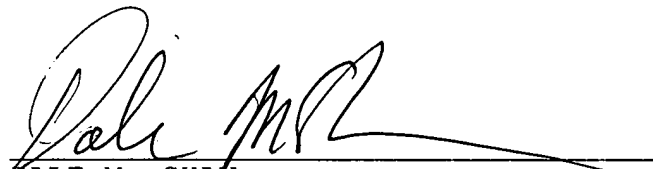
(2) to notify Appellants in writing of said consideration;

and

(3) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By:


DALE M. SHAW
Deputy Chief Appeals Administrator
(703) 308-9797

Application No. 08/621,631

cc: THOMAS E. KELLEY
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